IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 3136 OF 2007

Mohan P. Mirchandani & anr. Petitioner

versus

Collector of Thane and ors. ...Respondents.

WITH

WRIT PETITION NO. 3138 OF 2007

General Panchayat & ors.... Petitioner

versus

Collector of Thane and ors..... Respondent.

Shri S.P.Kanuga with J.S.Chandani for the petitioner
MRS. V.S.Mhaispurkar AGP for respondents.

CORAM; A.P. DESHPANDE, J.
DATED; 13TH AUGUST, 2007

P.C ;

1. The Collector vide order dated 17-11-2006 levied damage charges and non-aagriculatural assessment on the lands and properties situated at Ulhas Nagar Displaced persons colony, a per the State Laws. This order came to be challenged by the present petitioners under section 247 of Maharashtra Land Revenue Code by moving before the Addl.Commissioner, Konkan Division. The Commissioner is ceased of the appeal. However,

the stay application filed by the petitioner has been rejected, prompting the petitioner to file the present writ petition. The learned counsel for the petitioner submits that till date neither damage charges nor non-agricultural assessment was levied on the properties in Ulhas Nagar Displaced Perons Colony and the same was never paid. The learned AGP admits the correctness of the said statement and submits that the Commissioner will decide the appeal pending on his file within a period of three months from today and further states that till the decision of the appeal by the Commissioner, no co-ercieve action shall be taken by the respondent for recovery of the amnount of damage charges and non-agricultural assessment. In view of this statement made by the learned AGP, the learned counsel for the petitioner does not press the petition, and the same is thus dismissed as not pressed.

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